



11-05-04

Attorney's Docket No.: 17109-002001  
(37851-0911)

1631  
DRJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Manuel Vega, et. al                      Art Unit : 1631  
Serial No. : 10/022,249                              Examiner : Channing S. Mahatan  
Filed : December 17, 2001  
Title : HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL  
MUTAGENESIS

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Pursuant to telephonic discussions with Examiner Mahatan and his request, transmitted herewith is a **replacement copy** of a *Transmittal Letter* (1 page), *Supplemental Information Disclosure Statement* (2 pages), *Form PTO-1449* (1 page) and the cited foreign documents and other art (Vol. 1), which were originally hand-delivered to the USPTO on June 5, 2003. Also enclosed is the date-stamped receipt postcard reflecting June 5, 2003. Please enter the receipt date of June 5, 2003 for these documents in the PALM/PAIR systems.

As the original *Supplemental Information Disclosure Statement* was delivered before the receipt of the first Office Action on the merits for the above-captioned application, no filing fee was due. However, if it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050 for the appropriate fee as stated below.



The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number  
EV471529928US

Date of Deposit November 3, 2004

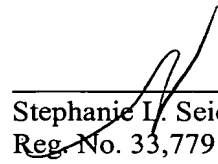
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman

Applicant : Manuel Vega, et. al  
Serial No. : 10/022,249  
Filed : December 17, 2001  
Page : 2 of 2

Attorney's Docket No.: 17109-002001

Respectfully submitted,



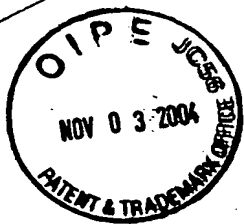
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Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17109-002001 / 37851-0911

**Address all correspondence to:**

Stephanie L. Seidman  
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**COPY**

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HERETO WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING **HAND DELIVERY BY MOORELAND AND MOORE** ON 06/05/03:

DUCKET NO.: 37851-0911 SLS:JC:lm  
ENCLOSURES: TRANSMITTAL LETTER (in duplicate); SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (2 pages); PTO-FORM 1449 (1 page); CITED REFERENCES and RETURN POSTCARD.

APPLICANT: VEGA et al.  
SERIAL NO: 10/022,249 FILED: DECEMBER 17, 2001  
FOR: **HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL MUTAGENESIS**

ETO WILL  
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FORMATION  
age);

PLEASE STAMP HERE (THANK YOU):

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vega *et al.*  
Serial No.: 10/022,249  
Filed: December 17, 2001  
Customer No.: 24961  
Confirmation No.: 7196  
For: *HIGH THROUGHPUT DIRECTED  
EVOLUTION BY RATIONAL  
MUTAGENESIS*  
Art Unit: 1631  
Examiner: Unassigned

TRANSMITTAL LETTER

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

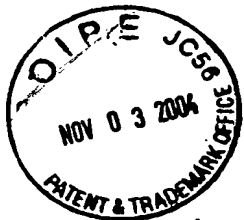
Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page) and cited references for filing in connection with the above-identified application.

( X ) The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:   
Stephanie L. Seidman  
Registration No. 33,779

Date: June 4, 2003  
Attorney Docket No. 37851-911  
Address all correspondence to:  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vega *et al.*  
Serial No.: 10/022,249  
Filed: December 17, 2001  
Customer No.: 24961  
Confirmation No.: 7196  
For: *HIGH THROUGHPUT DIRECTED  
EVOLUTION BY RATIONAL  
MUTAGENESIS*  
Art Unit: 1631  
Examiner: Unassigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed before the receipt of a first Office Action on the merits for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited documents are provided herewith.

The cited documents, listed on Form PTO-1449 and supplied herewith, are in the English language with the exception of items B, C and D, which are in the French language. Items B (WO 01/44809), C (WO 01/86291) and D (WO 02/16606) are provided with certified English language translations (items I, J and K, respectively). Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant makes known to the Examiner the following International patent that is commonly owned:

U.S.S.N. 10/022,249

Vega *et al.*

**Supplemental Information Disclosure Statement**

Foreign Patent & Publications							Issue/Pub. Date	Country	Docket No.
0	3	1	8	8	2	0	03/06/03	PCT	37851-912PC

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

\* \* \*

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

**Date: June 4, 2003**

Attorney Docket No. 37851-911

**Address all correspondence to:**

Stephanie L. Seidman

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FORM PTO-1449

ATTY. DOCKET NO.  
37851-911SERIAL NO.  
10/022,249LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
Vega, *et al.*

FILING DATE

December 17, 2001

GROUP

1631



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	A	5	7	9	8	2	0	8	08/25/98	Crea	435	6	11/02/92

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
	B	0	1	4	4	8	0	9	06/21/01	PCT			X	
	C	0	1	8	6	2	9	1	11/15/01	PCT			X	
	D	0	2	1	6	6	0	6	02/28/02	PCT			X	
	E	1	0	2	2	3	3	5	07/26/00	EP				
	F	9	7	3	8	7	2	3	10/23/97	PCT				
	G	9	8	3	2	8	8	0	07/30/98	PCT				
	H	9	9	6	4	5	8	2	12/16/99	PCT				

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

I	Certified English Translation of PCT Patent Application No. WO 01/44809, "Methods for Screening or Assessing the Performance of a Collection of Biological Agents in Living Target Cells, and their Applications."
J	Certified English Translation of PCT Patent Application No. WO 01/86291, "Method for Determining the Titer of Biological Agents in Living Target Cells."
K	Certified English Translation of PCT Patent Application No. WO 02/16606, "Method for Massive Directed Mutagenesis."
L	Xiao <i>et al.</i> , "Construction and Screening of a Multi-Point Site-Specific Mutant Library of Subtilisin E with a Set of Oligonucleotides", <u>40(4)</u> :337-344 (1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TITLE: HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL MUTAGENESIS